

POLICY

Youth who are referred/committed to the Department of Human Services (DHS) for care and supervision are to be placed according to the following principles:

- Public protection.
- Least restrictive placement.
- Safety of the youth.
- Family preservation (where appropriate).

PURPOSE

To ensure that placement of delinquent youth is based on the needs and best interests of the ward and the community, the safety of the youth, the family's strengths, and access to available resources.

AUTHORITY

The Social Welfare Act, 1939 PA 280, as amended, MCL 400.115b(1).

PROCEDURE

Service planning for delinquent youth gives priority to the following principles:

- Public protection.
- Least restrictive placement.
- Safety of the youth.
- Family preservation (where appropriate).

If placement in the youth's own home or a relative's home is ruled out, the least restrictive, safe, most family like setting as close to the family as possible, is to be given priority unless circumstances indicate otherwise.

**Structured
Decision Making**

These principles are integrated and achieved through a structured decision making model (SDM) which seeks to balance the youth's/family's need for services and the need for public safety. SDM describes a decision making model based upon systematic application of established standards and criteria. The standardized service and treatment plans uniformly guide and structure decisions

made regarding each youth's initial security level placement, release from placement and escalation.

**Initial Placement
After
Acceptance**

The DHS-4789, Juvenile Justice Initial Service Plan, Section II - Classification Report (see RFF 4789) is used to guide placement of youth based on the committing offense and the youth's level of risk. Section VI, Treatment Plan is used to guide treatment decisions.

**AWOL FROM
PLACEMENT
Violation
Criteria**

Wards are considered to be in violation if they:

- Leave a community placement (own/relative home, foster home, group home, independent living) without authorization.
- Wards who leave an approved residential placement without authorization are considered to be escapees.

Actions Taken

When a youth is absent without legal permission:

- Immediately (within one hour) the foster parents/kinship caregivers, parents and residential facility staff must notify law enforcement agencies and their supervising agency when the ward under their care has failed to return at the expected time.
- Immediately (within one hour) of notification the supervising agency will file a missing person report with the local law enforcement.
- Notify the victim(s), if requested.
- Notify the parent(s) immediately by telephone, in person or in writing, with a copy filed in the case record.
- The JJS or local office designee must take the following action within 24 hours/one business day of notification:
 - Update the information in SWSS FAJ:

- Child information.
- Enter/update child's characteristics.
- Placement:
 - Change living arrangement to 20.
 - Indicate reason for absence.
 - Indicate risk to the child with narrative.
 - List possible locations where the child may be found.
 - Document action taken to find child.
 - Enter contact name for local law enforcement.
 - Indicate special circumstances (e.g., Child should not be placed on the Web and reasons why).

Stop Payment for Placement

The JJS must end payment for placement according to FOM 903-7, Placement Interruptions.

Note: Within 48 hours/two business days of notification, the JJS must commence a diligent search for the child. Actions required are:

- Review any available DHS case records/SWSS records to identify information on the potential location of youth (family members, fictive kin, friends, known associates, churches, neighborhood centers).
- Contact the school that the child last attended and verify that the child is not in attendance. Determine if there are friends/teachers of the child that may have information.
- Contact the local school district office(s) to determine if child has enrolled in a new school.
- Review medical passport and medical records in case file to determine if there are outstanding medical needs and contact physician. Determine if there are medication needs and contact pharmacy.
- Document results of all contacts in file.

- The JJS or local office designee will notify the court and law enforcement of the results from the search.
- At a minimum the JJS will repeat a diligent search during every reporting period. The JJS will document all efforts to locate a youth and any youth initiated contacts in the case record, updated service plan and court reports.

**Procedure for
Apprehension
Order**

- Complete the DHS-3198-A, Unauthorized Leave Report to Court/Law Enforcement (see RFF 3198A) Send one copy to the court. Send/take the second copy of the DHS-3198-A to the local law enforcement to ensure that the youth is entered on the Law Enforcement Information Network (LEIN) as MISSING. Retain copy in the case file
- Submit a violation report and request the court issue an apprehension order.

**Placement
Following
Apprehension**

The JJS must:

- Following apprehension by law enforcement, take immediate action to move the ward to an appropriate placement.
- Notify the victim(s), if requested.
- Notify the parent(s) immediately by telephone, in-person, or in writing. If appropriate, the DHS-767, Conditions of Placement Agreement must be completed. Refer to JJ4 400, Placement Conditions for more information.
- If appropriate, return the ward to placement or secure another placement as quickly as possible.
- Stop or start payments as appropriate.
- Enter appropriate placement change on CSMIS.

**Release from
Placement**

At or near satisfactory completion of treatment, treatment facility staff or private agency staff and the JJS must agree that the ward is ready for release. **Any disagreement between the JJS and residential program treatment staff regarding release readiness or any other aspect of treatment planning which cannot be resolved at that level must be escalated to the director of the residential program and the JJS's supervisor for resolution.**

If resolution is not achieved at that level, appeals must be escalated via the local FIA office and region manager to the director of the Bureau of Juvenile Justice for resolution.

The JJS must petition the court for a change of plan or release hearing. The court will notify the JJS and all appropriate parties of the hearing date. The JJS must attend the hearing.

Treatment staff must complete the DHS-234, Release Plan or DHS-237, Release Plan (Community Based) (see RFF 234 or RFF 237). The release plan outlines the services completed during treatment and what services will be provided upon release. The JJS must ensure that appropriate notification is provided to victims requesting notice.

**Reassessment
for Youth
Adjudicated for
a New Offense**

The DHS-4539, Delinquent Youth Security Level Matrix for Re-Offenders (see RFF 4539) is used to guide replacement recommendations for youth who are adjudicated for a new offense while under department supervision. The matrix identifies a security level for replacement. The matrix is based upon two factors:

- The security level of the youth's placement when the offense was committed.
- The nature and severity of the new offense.

Note: When a youth is on escape status at the time of the offense, use the security level of the placement from which the youth escaped as the living arrangement.

**Pregnant Youth
Residential
Preparation**

The information is plotted on the matrix to determine the security level of the new placement.

The JJS is responsible for pre-planning for pregnant youth and any appropriate support for babies born to residents in private or public facilities.

A clearly defined plan will be included in the initial service plan or updated service plan and shared with the committing court and residential staff, prior to admission. The facility in collaboration with the JJS is responsible to assist the youth and family in planning for the unborn baby and any subsequent treatment issues.

The JJS responsibilities include:

- Ensure that immediately following birth, the baby is immediately enrolled in Medicaid.
- Ensure parenting education is provided to youth by the facility or another agency.
- The JJS will make any appropriate referrals to Children's Protective Services.
- If a family member agrees to take the baby, the JJS or designee will inform the family of any paternity and/or guardianship requirements and available services such as Medicaid, ADCF, WIC, etc.

The facility responsibilities include:

- Provide medical care to the resident before, during and after the birth.
- If the plan is for foster care in the county of the residential facility, regular contact with mother and child must be facilitated by the residential staff
- Provide the resident with appropriate pre/postnatal care and make arrangements for the birth.
- Prior to the birth, the resident will be provided with counseling to assist her in planning for her child's care.

- After birth, the residential staff will work with the JJS, family or other care providers to facilitate contact between the mother and baby as security requirements allow.